

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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	:	
UNITED STATES OF AMERICA	:	CONSENT ORDER OF
	:	RESTITUTION
- v. -	:	
	:	24 Cr. 359 (PKC)
HERBERT ROSA,	:	
	:	
Defendant.	:	
-----	X	

Upon the application of the United States of America, by its attorney, Damian Williams, United States Attorney for the Southern District of New York, Jerry J. Fang, Assistant United States Attorney, of counsel; the presentence investigation report; the defendant's conviction on Count One of the Information; and all other proceedings in this case, it is hereby ORDERED that:

**1. Amount of Restitution**

HERBERT ROSA, the defendant, shall pay restitution in the total amount of \$6,000, pursuant to 18 U.S.C. §§ 3663 and 3663A, to the New York City Housing Authority, Revenue and Receivable Division, ATT: Billing Section, 90 Church Street 6th Floor, New York, New York, 10007, the victim of the offense charged in Count One. Upon advice by the United States Attorney's Office of a change of address of the victim, the Clerk of Court is authorized to send payments to the new address without further order of this Court.

Restitution is not joint and several with any other defendants or with any others not named herein.

Pursuant to 18 U.S.C. § 3664(i), all nonfederal victims must be paid before the United States is paid.

## **2. Schedule of Payments**

Pursuant to 18 U.S.C. § 3664(f)(2), in consideration of the financial resources and other assets of the defendant, including whether any of these assets are jointly controlled; projected earnings and other income of the defendant; and any financial obligations of the defendant; including obligations to dependents, the defendant shall pay restitution in the manner and according to the schedule that follows:

In the interest of justice, restitution will be payable in installments pursuant to 18 U.S.C. § 3572(d)(1) and (2). While serving any term of imprisonment, the defendant shall make installment payments toward restitution and may do so through the Bureau of Prisons' (BOP) Inmate Financial Responsibility Plan (IFRP). Any unpaid amount remaining upon release from prison will be paid in monthly installments of at least 10 percent of the defendant's gross income. This schedule is without prejudice to the Government taking enforcement actions, pursuant to 18 U.S.C. § 3613, to the extent warranted.

## **3. Payment Instructions**

The defendant shall make restitution payments by certified check, money order, or online. Instructions for online criminal debt payments are available on the Clerk of Court's website at <https://nysd.uscourts.gov/payment-information#PaymentofCriminalDebt>. Checks and money orders shall be made payable to the "SDNY Clerk of Court" and mailed or delivered to: United States Courthouse, 500 Pearl Street, New York, New York 10007 - Attention: Cashier, as required by 18 U.S.C. § 3611. The defendant shall write the defendant's name and the docket number of this case on each check or money order.

## **4. Change in Circumstances**

The defendant shall notify, within 30 days, the Clerk of Court, the United States Probation Office (during any period of probation or supervised release), and the United States Attorney's

Office, 86 Chambers Street, 3rd Floor, New York, New York 10007 (Attn: Financial Litigation Program) of (1) any change of the defendant's name, residence, or mailing address, or (2) any material change in the defendant's financial resources that affects the defendant's ability to pay restitution in accordance with 18 U.S.C. § 3664(k).

**5. Term of Liability**

The defendant's liability to pay restitution shall terminate on the date that is the later of 20 years from the entry of judgment or 20 years after the defendant's release from imprisonment, as provided in 18 U.S.C. § 3613(b). Subject to the time limitations in the preceding sentence, in the event of the death of the defendant, the defendant's estate will be held responsible for any unpaid balance of the restitution amount, and any lien filed pursuant to 18 U.S.C. § 3613(c) shall continue until the estate receives a written release of that liability.


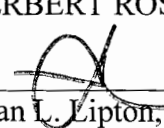
AGREED AND CONSENTED TO:

DAMIAN WILLIAMS  
United States Attorney for the  
Southern District of New York

By: /s/  
Jerry J. Fang  
26 Federal Plaza, 37th Floor  
New York, New York 10278  
Tel.: (212) 637-2584

11/19/24  
DATE


HERBERT ROSA

  
HERBERT ROSA  
  
Evan L. Lipton, Esq.  
260 Madison Avenue, Floor 22  
New York, NY 10033  
Tel.: (917) 924-9800

11/19/24  
DATE

11/19/24  
DATE

SO ORDERED:

  
HONORABLE P. KEVIN CASTEL  
UNITED STATES DISTRICT JUDGE

11-19-24  
DATE